



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

May 6, 2021

BY ECF

The Honorable Alison J. Nathan
United States District Court
Southern District of New York
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Ghislaine Maxwell, 20 Cr. 330 (AJN)*

Dear Judge Nathan:

The Government respectfully submits this letter to supplement its letter of May 4, 2021 (Dkt. No. 269) regarding Requests 9 through 11 of the defendant's requested subpoena to Boies Schiller Flexner LLP.

As noted in the Government's letter, the Government has produced to the defense copies of the photographs sought in Request 11. (Dkt. No. 269 at 8). The Government has now determined that, for a subset of the photographs requested by the defendant, the Government previously provided the defense with scanned images of this subset of photographs from the FBI Florida file. The original photographs are currently in the FBI's possession. Accordingly, because some of the original photographs are currently in the Prosecution Team's possession, the Government will make them available to the defendant for inspection upon request. Request 11 is therefore moot as to those photographs.

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As to the remaining photographs that are outside the Government's possession, because the defendant has copies of those photographs, the originals are not a proper subject of a Rule 17 subpoena. Accordingly, for the reasons set forth in the Government's letter, Request 11 should otherwise be denied.

Respectfully submitted,

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Cc: Defense Counsel (By ECF)